HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION No. 6815 of 2007

DATED: 5-04-2007

Between:

Smt Kamunuri Mangamma

…Petitioner

and

State of Andhra Pradesh, rep. by its
Collector, Visakhapatnam District,
Visakhapatnam and others

…Respondents.

HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.No. 6815 of 2007

ORAL ORDER:

The writ petitioner challenges the draft declaration dated 14-9-2006 issued under Section 6 of the Land Acquisition Act, 1894 (for short 'the Act') proposing acquisition of the petitioner's land in an extent of Ac.0-35 cents in Sy.No.7/4M of Narava Village, Pendurthi Mandal, Visakhapatnam District. The petitioner purchased the land from Yengali Apparao, Yengali Kunchalu and Yengali Paidiraju, all sons of late Demudu in March, 2004. Apparently she has not obtained mutation of her name in the revenue records, despite acquisition of title to the property under a registered sale deed, in March, 2004. The names of the petitioner's vendor are reflected in the draft declaration. Since there was no mutation, on the basis of the revenue record, the respondents have apparently notified the names of the vendors as their names are continue in the revenue records. The petitioner assails the acquisition, *inter alia*, on the ground that earlier in 1989, 560 acres of land was acquired for Visakha Export Processing Zone and out of it 360 acres of land was developed by Visakha Export Processing Zone and the balance extent remained undeveloped. It is also alleged that there is available an extent of 200 acres of Government and forest land in Sy.Nos. 4, 5 and 6 of Narava Village and the extension and development of Visakha Special Economic Zone could be carried by taking these lands.

These are not the grounds on which the process of acquisition may be interdicted. The substantive grievance of the petitioner that her

name is not notified in the draft declaration does not also merit acceptance, since she failed to have her name mutated in the revenue record. Since, the petitioner states to have acquired title to the property, she is at liberty to lodge a claim for payment of the compensation amount, to the Land Acquisition Officer. No grounds however exist to invalidate the acquisition.

The writ petition is accordingly dismissed at the stage of admission, after hearing the learned Government Pleader for Land Acquisition also. There shall be no order as to costs.

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GODA RAGHURAM, J

5-04-2007
GRR